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Letter dated 15 August 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

I am pleased to inform you that the remaining issues relating to the fulfilment of all Security Council resolutions resulting from the Lockerbie incident have been resolved. I am also pleased to inform you that my country is confident that the representatives of the United Kingdom and the United States of America will be confirming this development to you and to members of the Council as well.

The Libyan Arab Jamahiriya has sought to cooperate in good faith throughout the past years to bring about a solution to this matter.

In that context and out of respect for international law and pursuant to the Security Council resolutions, Libya as a sovereign State:

- Has facilitated the bringing to justice of the two suspects charged with the bombing of Pan Am 103 and accepts responsibility for the actions of its officials.
- Has cooperated with the Scottish investigating authorities before and during the trial and pledges to cooperate in good faith with any further requests for information in connection with the Pan Am 103 investigation. Such cooperation would be extended in good faith through the usual channels.
- Has arranged for the payment of appropriate compensation. To that end, a special fund has been established and instructions have already been issued to transmit the necessary sums to an agreed escrow account within a matter of days.

The Libyan Arab Jamahiriya, which during the last two decades has, on numerous occasions, condemned all acts of terrorism in its correspondence to the General Assembly and to the Security Council, reaffirms its commitment to that policy. The following are examples of that policy. The Libyan Arab Jamahiriya confirms its support for Security Council resolutions 1373 (2001) which stipulates, according to Chapter VII of the Charter of the United Nations, that all States are to "refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts"; that they are to "take the necessary steps to prevent the commission of terrorist acts, including taking action and sharing information to provide early warning to other States"; that they are to "deny safe haven to any person who finances, plans, supports, or commits terrorist acts"; that they are to

"ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice"; and that they are to "afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession, deemed necessary for legal proceedings".

In that connection, the Libyan Arab Jamahiriya is committed to be cooperative in the international fight against terrorism. It is also committed to cooperate with efforts to bring to justice those who are suspects.

In addition, the Libyan Arab Jamahiriya renews its support for the Declaration on Measures to Eliminate International Terrorism as well as its support for such General Assembly resolutions as resolution 55/158, in which the Assembly "strongly condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed".

The Libyan Arab Jamahiriya continues to endorse the Declaration on Measures to Eliminate International Terrorism, which is contained in the annex to General Assembly resolution 49/60. That Declaration stipulates that all States shall "refrain from organizing, instigating, assisting or participating in terrorist acts in territories of other States, or from acquiescing in or encouraging terrorist activities within their territories directed towards the commission of such acts". It also stipulates that "those responsible for acts of international terrorism must be brought to justice".

In line with this forceful denunciation of terrorism in all its forms, the Libyan Arab Jamahiriya has signed regional conventions and bilateral agreements as well as the twelve international conventions to fight terrorism. It recently reported those steps to the Security Council and pledged to refrain from becoming involved in any acts of terrorism. In particular, the Libyan Arab Jamahiriya pledged "not to engage in, attempt, or participate in any way whatever in the organization, financing or commission of terrorist acts or to incite the commission of terrorist acts or support them directly or indirectly; and to prevent its territory from being used for the planning, organization or perpetration of terrorist offences by, inter alia, preventing the illicit entry, sheltering or sojourn of terrorist elements or by receiving, sheltering, training, arming or financing them or by providing them with facilities" (see S/2001/1323). Libya's report to the Security Council also detailed the specific steps that were taken to implement those pledges.

Suffice it to say that the Libyan Arab Jamahiriya has pledged itself not only to cooperate in the international fight against terrorism but also to take practical measures to ensure that such cooperation is effective.

The Libyan Arab Jamahiriya appreciates the efforts made and the parts played by the Member States of the United Nations, by the Secretary-General and by other entities in bringing about the resolution of this long-standing matter. In expressing such appreciation, the Libyan Arab Jamahiriya affirms that it will have fulfilled all Security Council requirements relevant to the Lockerbie incident upon transfer of the necessary sums to the agreed escrow account. It trusts that the Council will agree. Therefore, in accordance with paragraph 16 of Council resolution 883 (1993) and paragraph 8 of resolution 1192 (1998), the Libyan Arab Jamahiriya requests that in that event the Council immediately lift the measures set forth in its resolutions 748 (1992) and 883 (1993).

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Ahmed A. **Own**
Ambassador
Chargé d'affaires a.i.